

PATENT

I hereby certify that this correspondence is being sent by regular United States mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 20, 2004.

*William R. Allen*

William R. Allen, Reg. No. 48,389

*20 July 2004*

Date

Applicant: Paul Francis Day Confirmation No.: 1599  
Serial No.: 09/995,871  
Filed: November 29, 2001  
Examiner: Lyle Alexander  
Group Art Unit: 1743  
Title: **SAMPLE TUBES WITH FLUID-TIGHT LABELS**  
(Formerly: **IMPROVED TUBES**)  
Attorney Docket No.: SOMM-03

Cincinnati, OH

July 20, 2004

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT UNDER 37 CFR § 1.111**

In response to the non-final Office Action of April 13, 2004, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims that begins on page 3 of this paper.

Remarks begin on page 11 of this paper.



1743/  
Jh

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### AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.
2. ☐ Small Entity status is claimed.  
☒ Other than a Small Entity.
3. The fee has been calculated as shown below:

07/22/2004 EAREGAY1 00000061 09995871

01 FC:1251      110.00 OP

07/22/2004 EAREGAY1 00000061 09995871

02 FC:1806      180.00 OP

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		LARGE ENTITY	
Claims Remaining After Amendment		Highest No. Previously Paid For		Extra	Present Rate	Fee	Present Rate	Fee
TOTAL	38	MINUS	28	= 10	x \$9	\$0	x \$18	\$180
INDEP	3	MINUS	6	= 0	x \$43	\$0	x \$86	\$0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+\$135	\$0	+\$270	\$0
TOTALS					TOTAL FEE	\$	TOTAL FEE	\$180

- ☆ If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- ☆☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

\_\_\_ No additional fee for claims is required.

4. Attached is a check in the sum of \$180.00.

\_\_\_ Please charge my Deposit Account No. 23-3000 in the amount of \$   .

A duplicate copy of this sheet is attached.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

- (a)   XX   Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<u>X</u>	one month	\$ 110.00	\$ 55.00
—	two months	\$ 420.00	\$210.00
—	three months	\$ 950.00	\$475.00
—	four months	\$1,480.00	\$740.00
—	five months	\$2,010.00	\$1,005.00

XX Attached is a check in the amount of \$110.00 for the one month extension fee as required by 37 C.F.R. § 1.17(c)

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)


— An extension for — months has already been secured and the fee paid thereof of \$— is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$—.

OR

(b) — Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

XX If any additional fee for claims or extension of time is required, charge Account No. 23-3000. A duplicate of this transmittal is attached.

Respectfully submitted,  
WOOD, HERRON & EVANS, L.L.P.

  
\_\_\_\_\_  
William R. Allen  
Reg. No. 48,389

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